

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Revocation of)
the License to Conduct Gambling Activities of:)

NO. CR 2008-01651

Maureen Pangelinan (Santos),)
Tacoma, Washington,)

**NOTICE OF ADMINISTRATIVE
CHARGES AND OPPORTUNITY
FOR AN ADJUDICATIVE
PROCEEDING**

Licensee.)
_____)

I.

The Washington State Gambling Commission issued Maureen Pangelinan (Santos) the following license:

Number 68-19625, authorizing her to work as a Card Room Employee, formerly at All Star Lanes.

This license expires on September 17, 2009, and was issued subject to Ms. Pangelinan's compliance with state gambling laws and regulations.

II.

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, Chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230.

III.

David Trujillo, Assistant Director of the Washington State Gambling Commission, charges the licensed employee with the following violation(s) of the Washington State Gambling Act, 9.46 RCW, and WAC Title 230:

1) On October 16, 2008, a Gambling Commission Special Agent (agent) received information from Tom Myers, the owner of All Star Lanes and Casino, reporting that Maureen Pangelinan, a card room employee at All Star Lanes, had stolen money from the purse of co-employee, at the premises on October 5, 2008.

2) On October 16, 2008, an agent went to All Star Lanes and collected surveillance tapes and documents, which show Ms. Pangelinan's activities. The surveillance tapes illustrate the following:

- At 20:41:48 on October 5, 2008, Ms. Pangelinan opened another employee's locker in the break room. She removed a purse from the locker, opened it, took something out of the purse, and put the purse back. She exited the break room at 20:42:02.

- At approximately 21:00, All Star Lanes card room employee Christy Schumacher reported to security that money had been stolen from her purse, which was in a locker in the employee break room.
- Immediately thereafter, security and surveillance officer's reviewed the surveillance recordings and reported the incident to Kitsap County Police.
- Kitsap County Sheriff Deputies questioned Ms. Pangelinan, who admitted that she had stolen the money from Ms. Schumacher.

3) Ms. Pangelinan violated RCW 9.46.190 and is not qualified for a license under RCW 9.46.153(1). Therefore, grounds exist to revoke her license under RCW 9.46.075(1), (8), and (10) and WAC 230-03-085(1), and (8).

RCW 9.46.075 Denial, suspension, or revocation of license, permit states:

The Commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein:

(1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

(8) Fails to prove, by clear and convincing evidence, that he, she or it is qualified in accordance with the provisions of this chapter.

(10) Has pursued or is pursuing economic gain in an occupational manner or context which is in violation of the criminal or civil public policy of this state if such pursuit creates probable cause to believe that the participation of such person in gambling or related activities would be inimical to the proper operation of an authorized gambling or related activity in this state. For the purposes of this section, occupational manner or context shall be defined as the systematic planning, administration, management or execution of an activity for financial gain.

WAC 230-03-085 Denying, suspending, or revoking an application, license or permit states:

We may deny, suspend, or revoke any application, license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization:

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

(8) Poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities, as demonstrated by: (a) Prior activities; or (b) Criminal record; or (c) Reputation; or (d) Habits; or (e) Associations.

RCW 9.46.190 Violations relating to fraud or deceit states:

Any person, association, or organization operating any gambling activity who or which, directly or indirectly, shall in the course of such operation:

- (1) Employ any device, scheme, or artifice to defraud; or
- (2) Make any untrue statement of a material fact, or omit to state a material fact necessary in order to make the statement made not misleading, in the light of the circumstances under which said statement is made; or
- (3) Engage in any act, practice or course of operation as would operate as a fraud or deceit upon any person;

Shall be guilty of a gross misdemeanor subject to the penalty set forth in RCW 9A.02.021.

RCW 9.46.153 Applicants, licensees-Responsibilities, and duties-Waiver of liability-Investigation statement as privileged states:

- (1) It shall be the affirmative responsibility of each applicant and licensee to establish by clear and convincing evidence the necessary qualifications for licensure of each person required to be qualified under this chapter, as well as the qualifications of the facility in which the licensed activity will be conducted.

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The charges specified above constitute grounds for revoking the gambling license held by Maureen Pangelinan, to conduct authorized gambling activities under the authority of RCW 9.46.075 and WAC 230-04-400.

You have an opportunity to have a hearing on the alleged violations.

Under RCW 34.05.440, FAILURE TO RETURN THIS DOCUMENT WILL RESULT IN THE ENTRY OF A DEFAULT ORDER REVOKING YOUR LICENSE.

David Trujillo, being duly sworn on oath, says: That he has read this Notice of Administrative Charges and Opportunity for An Adjudicative Proceeding, knows the contents of it, believes it to be true, that he is the Assistant Director of the Washington State Gambling Commission, and in that capacity has executed this Notice.

Maureen Pretell

Washington residing at Lacey
My commission expires on June 15, 2009

